



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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(603) 271-2457 FAX (603) 271-7894



Ms. Doris Raps
Burkehaven Lodge
179 Burkehaven Hill Road
Sunapee, New Hampshire 03782

LETTER OF DEFICIENCY
WMB PBF 03-40
September 23, 2003

Dear Ms. Raps:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On August 22, 2003, DES inspected the pool at the Burkehaven Lodge, in Sunapee, NH ("the Pool").

During this inspection, the following deficiencies were noted:

Pursuant to Env-Ws 1103.15(a), disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypo-chlorite or bromine tablets with control of the erosion rate. The Pool is currently being disinfected by hand feeding.

2. Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. No written records were available at the time of the inspection relative to the required testing of the Pool water.
3. Env-Ws 1104.03(e)(1) states that the depth of water in feet shall be plainly and conspicuously marked at or above the water line on the vertical pool wall and on the top of the coping or edge of the deck or walk next to the pool. The depth of the Pool was not marked.
4. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a flow meter.

Pursuant to Env-Ws 1103.10, food and drink shall not be permitted in public bathing facilities or on the deck areas of such facilities. At the Burkehaven Lodge, in Sunapee, NH, food and drink are allowed on the deck areas of the Pool.

DES believes the cited deficiencies can be corrected prior to summer season 2004. A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

A copy of two weeks of water quality test results for all facilities (please do not send originals).


2. The type, manufacture, and model of the chlorine feeder to be installed.
3. The type, manufacture, and model of the flow meter to be installed.
4. A timetable of when:
 - a. the safety items will be in place;
 - b. the depth will be marked;
 - c. the installation of the chlorine feeder will be completed; and
 - d. the installation of the flow meter will be completed.

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DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

COPY

Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0585 9923

cc: Mark Harbaugh, Enforcement Attorney, DES
Amy Wilson, Public Bathing Facility Coordinator, DES
John W. Wiggins, Health Officer, Town of Sunapee

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